## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

In re: Equifax, Inc. Customer Data Security Breach Litigation MDL Docket No. 2800 No. 1:17-md-2800-TWT

This document relates to:

**CONSUMER TRACK** 

## **JOINT MOTION TO SET DEADLINES**

Pursuant to Section 3 of Case Management Order No. 5 ("CMO-5," Dkt. No. 409), Defendants Equifax Inc., Equifax Information Services LLC, and Equifax Consumer Services LLC (collectively, "Defendants") and Plaintiffs in the Consumer Cases (together, "Parties") respectfully request that the Court enter a briefing schedule with respect to Plaintiff the Commonwealth of Puerto Rico's ("Plaintiff Puerto Rico") Joinder with Plaintiff City of Chicago's Motion to Establish a Separate Track for Government Enforcement Actions ("Motion for Separate Track," Dkt. No. 561), showing the Court as follows:

1. On February 15, 2019, Plaintiff Puerto Rico filed its Motion for Separate Track in which it joins Plaintiff City of Chicago's Motion to Establish a Separate Track for Government Enforcement Actions (Dkt. No. 385) and requests

the Court to create a separate track in this MDL proceeding specifically for the actions filed by Plaintiffs Puerto Rico and City of Chicago. The Motion for Separate Track was filed on the docket in this action on February 20, 2019.

- 2. Pursuant to the Court's instructions at the February 19, 2019 status conference and Section 3 of CMO-5, the Parties are to present a proposed briefing schedule for Plaintiff Puerto Rico's Motion for Separate Track for the Court's consideration.
- 3. Accordingly, to allow the Parties adequate time to assess and respond to the arguments raised in Plaintiff Puerto Rico's Motion for Separate Track, the Parties jointly propose a deadline of March 15, 2019 for the Parties to file any responses thereto.
- 4. The Parties further propose that Plaintiff Puerto Rico be allowed until March 22, 2019 to file a consolidated reply in support of its Motion for Separate Track.

WHEREFORE, the Parties respectfully request that the Court enter an order setting a briefing schedule for Plaintiff Puerto Rico's Motion for Separate Track as follows: (i) any responses to the Motion for Separate shall be filed by March 15, 2019; and (ii) Plaintiff Puerto Rico shall file a consolidated reply by March 22, 2019.

A proposed order is attached for the Court's consideration.

Respectfully submitted this 21st day of February, 2019.

### /s/ S. Stewart Haskins III

#### KING & SPALDING LLP

David L. Balser

Georgia Bar No. 035835

Phyllis B. Sumner

Georgia Bar No. 692165

S. Stewart Haskins II

Georgia Bar No. 336104

Elizabeth D. Adler

Georgia Bar No. 558185

John C. Toro

Georgia Bar No. 175145

1180 Peachtree Street, N.E.

Atlanta, Georgia 30309

Tel.: (404) 572-4600

Fax: (404) 572-5140

dbalser@kslaw.com

psumner@kslaw.com

shaskins@kslaw.com

eadler@kslaw.com

jtoro@kslaw.com

Counsel for Defendants

and

#### /s/ Amy E. Keller

Amy E. Keller

#### DiCello Levitt & Casey LLC

Ten North Dearborn Street

Eleventh Floor

Chicago, Illinois 60602

Kenneth S. Canfield

**Doffermyre Shields Canfield &** 

#### **Knowles, LLC**

1355 Peachtree Street, N.E. Suite 1600 Atlanta, Georgia 30309

Norman E. Siegel **Stueve Siegel Hanson LLP** 460 Nichols Road, Suite 200 Kansas City, Missouri 64112

Roy E. Barnes **Barnes Law Group, LLC** 31 Atlanta Street Marietta, Georgia 30060

David J. Worley **Evangelista Worley LLC** 8100A Roswell Road Suite 100 Atlanta, Georgia 30350

Consumer Plaintiffs' Co-Liaison Counsel

Andrew N. Friedman

Cohen Milstein Sellers & Toll PLLC

1100 New York Avenue, NW

Suite 500

Washington, DC 20005

Eric H. Gibbs **Girard Gibbs LLP** 505 14th Street Suite 1110 Oakland, California 94612

James Pizzirusso **Hausfeld LLP**1700 K Street NW Suite 650
Washington, DC 20006

Ariana J. Tadler

Milberg Tadler Phillips Grossman LLP

One Penn Plaza
19th Floor

New York, New York 10119

John A. Yanchunis

Morgan & Morgan Complex Litigation
Group

201 N. Franklin Street, 7th Floor
Tampa, Florida 33602

William H. Murphy III **Murphy, Falcon & Murphy** 1 South Street, 23rd Floor Baltimore, Maryland 21224

Jason R. Doss **The Doss Firm, LLC**36 Trammell Street, Suite 101
Marietta, Georgia 30064

Consumer Plaintiffs' Steering Committee

Rodney K. Strong **Griffin & Strong P.C.** 235 Peachtree Street NE, Suite 400 Atlanta, GA, 30303

Consumer Plaintiffs' State Court Coordinating Counsel

/s Kyle G. Bates
Wanda Vázquez-Garced
Attorney General

Denise Maldonado Rosa

and

Assistant Attorney General USDC-PR 301108 P.O. Box 9020192 San Juan, Puerto Rico 00902-0192 Tel: (787) 729-2002 dmaldonado@justicia.pr.gov

Peter B. Schneider
William M. Hogg
SCHNEIDER WALLACE
COTTRELL KONECKY
WOTKYNS LLP
3700 Buffalo Speedway, Suite 300
Houston, Texas 77098
Telephone: (713) 338-2560
Facsimile: (415) 421-7105
pschneider@schneiderwallace.com
whogg@schneiderwallace.com

Todd M. Schneider
Kyle G. Bates
SCHNEIDER WALLACE
COTTRELL KONECKY
WOTKYNS LLP
2000 Powell St., Suite 1400
Emeryville, California 94608
Telephone: (415) 421-7100
Facsimile: (415) 421-7105
tschneider@schneiderwallace.com
kbates@schneiderwallace.com

Garrett W. Wotkyns SCHNEIDER WALLACE COTTRELL KONECKY WOTKYNS LLP 8501 N. Scottsdale Road, Suite 270 Scottsdale, Arizona 85253 Telephone: (480) 428-0145

Facsimile: (866) 505-8036 gwotkyns@schneiderwallace.com

Gregory A. Cade ENVIRONMENTAL LITIGATION GROUP, P.C. 2160 Highland Ave, Birmingham, AL 35205 Telephone: (205) 328-9200

Facsimile: (205) 328-9456 GregC@elglaw.com

Attorneys for the Commonwealth of Puerto Rico

# **CERTIFICATE OF COMPLIANCE**

Pursuant to Local Rule 7.1D, the undersigned certifies that the foregoing complies with the font and point selections permitted by Local Rule 5.1B. This brief was prepared on a computer using the Times New Roman font (14 point).

DATED: February 21, 2019

/s/ S. Stewart Haskins III

KING & SPALDING LLP

# **CERTIFICATE OF SERVICE**

I hereby certify that on February 21, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

/s/ S. Stewart Haskins III
KING & SPALDING LLP